EXHIBIT A

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/443,806	11/19/1999	BRIAN GREG MONTANO	16295.0391	7739

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EXAMINER
DAY, HERNG DER

ART UNIT	PAPER NUMBER
2123	7

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)	
09/443,806	MONTANO ET AL.	
Examiner	**Art Unit**	
Herng-der Day	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☒ The proposed drawing correction filed on *28 February 2003* is: a)☒ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948).
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This communication is in response to Applicants' Reply (paper # 6) to Office Action dated October 30, 2002 (paper # 4), mailed February 28, 2003.

1-1. Claims 1, 9, 15, and 18 have been amended; claims 21-22 have been added; claims 1-22 are pending.

1-2. Claims 1-22 have been examined and claims 1-22 have been rejected.

Drawings

2. The proposed drawing correction to Fig. 1, filed February 28, 2003, has been approved.

Specification

3. The amendment to the paragraph in page 9 of the specification has been approved.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

For example, as described in lines 20-23 of page12 in the original specification, "If all installation locations have been determined to be incompatible for a selected hardware component, the hardware verification program at step 208 will reassign installation locations for all hardware components, giving first priority to the hardware component not yet assigned". In other words, instead of trying to identify any incompatible hardware component, the hardware verification program reassigns installation locations for all hardware components. Accordingly, it will not prevent a possible situation of infinite reassignments if two or more incompatible hardware components are included in the hardware component list because the hardware verification program at step 208 will repeatedly reassign installation locations for all hardware components once all installation locations have been determined to be incompatible.

Applicants argue, in section A of pages 5-6 in paper # 6, "If all possible locations have been exhausted for an incompatible hardware component, "the program will transmit an incompatibility message at step 216," and "the program will terminate at step 218". Therefore, the infinite loop suggested by the Examiner will not occur". Applicants' argument is based on the assumption "If an incompatible hardware component is identified by the hardware verification test", as described in lines 28-29 of page 12 in the original specification. However, the specification has not disclosed how to identify any incompatible hardware component other than reassigns installation locations for all hardware components. It is unclear how one skilled in the art may break the infinite reassignments if two or more incompatible hardware components are included in the hardware component list.

Accordingly, claims 1-22 eventually contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

6. Claims 1-15 and 18-22 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

For example, claims 1, 9, and 18 all refer to the limitation "the housing of the computer system" which does not appear to be supported in the original specification. As described in lines 4-5 of page 9 in the original specification, "The case 105 houses much of the hardware of the computer system", however, the specification has not disclosed anything about "the housing of the computer system". Therefore, claims 1-15 and 18-22 eventually contain subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-15 and 18-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8-1. The term "substantially" in claims 1, 9, and 18 is a relative term, which renders each claim indefinite. The term "the installation location is substantially within the housing of the

computer system" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Therefore, the term "substantially" is vague and indefinite.

8-2. Claims not specifically rejected above are rejected as being dependent on a rejected claim.

Claim Interpretation

9. Independent claims 1, 9, and 18 recite the limitation "the installation location is substantially within the housing of the computer system" in each claim. However, the term "substantially" is vague and indefinite, as discussed in section **8-1** above, and the term "the housing of the computer system" does not appear to be supported in the specification, as discussed in section **6** above. For the purpose of claim examination with the broadest reasonable interpretation, the term "the installation location is substantially within the housing of the computer system", as described in claims 1, 9, and 18, is interpreted as "the installation location is completely within the computer system".

10. Independent claim 9 recites the limitation "a compatibility message" which has not been disclosed explicitly in the specification. As described in lines 5-6 of page 13 in the specification, "Once all hardware components have been assigned a compatible installation location, the program will generate a set of written installation instructions at step 222". For the purpose of claim examination with the broadest reasonable interpretation, the term "a compatibility message", as described in claim 9 is interpreted as "any message other than error message".

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by Hirosawa et al., U.S. Patent 5,751,575 issued May 12, 1998.

12-1. Regarding claim 16, Hirosawa et al. disclose a computer system, comprising:

a processor (CPU in display unit 20a, FIG. 5);

a memory (one of the block in display unit 20a other than CPU, DISC1 or DISC2, FIG. 5, one skilled in the art will include memory in the base architecture even if the customer has not specified the memory in the customer order);

a storage device (DISC1 in display unit 20a, FIG. 5); the computer system having been manufactured in accordance with a manufacturing process in which the installation location of hardware components in the computer system were assigned as part of a verification step during the manufacturing process (desired position, column 8, lines 41-48); the verification step including the evaluation of each hardware component of the computer system versus every other hardware component of the computer system and versus the base architecture of the computer system (inspection, column 8, lines 53-61).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 1-15 and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connor, U.S. Patent 5,894,571 issued April 13, 1999, in view of Hirosawa et al., U.S. Patent 5,751,575 issued May 12, 1998.

14-1. Regarding claim 1, O'Connor discloses receiving a custom order including a list of hardware configuration components (column 2, lines 41-46). The order-entry computer system is used to generate a hardware list and the hardware list is checked to assure compatibility of the selected hardware components (column 4, lines 46-50). However, O'Connor discloses expressly neither the details of assigning hardware installation locations nor the details of displaying a graphical representation of the installation locations of the hardware components of the computer system. O'Connor does suggest that hardware assembly begins with step 216 in which the order of component assembly is planned (column 5, lines 1-5).

Hirosawa et al. disclose planning the order of component assembly in detail. Specifically, Hirosawa et al. disclose a method for assigning hardware installation locations in a computer system for a set of hardware components to be installed in the computer system, comprising the steps of:

selecting an installation location for a first hardware component (desired position, Hirosawa et al., column 8, lines 41-51);

evaluating the compatibility of the installation location of the selected hardware component, wherein the installation location is substantially within the housing of the computer system (inspection, Hirosawa et al., column 8, lines 52-61);

repeating the steps of selecting an installation location and evaluating the compatibility of the installation location for each hardware component in the set of hardware components (interactive process, Hirosawa et al., column 4, lines 43-49); and

displaying a graphical representation of the installation locations of the hardware components of the computer system (drawing, Hirosawa et al., column 3, lines 39-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of O'Connor to incorporate the teachings of Hirosawa et al. to obtain the invention as specified in claim 1 because Hirosawa et al. disclose in detail planning the order of component assembly as suggested by O'Connor.

14-2. Regarding claim 2, O'Connor further discloses that the set of hardware components includes custom hardware components selected for installation by the customer of the computer system (customer order, column 4, lines 40-45).

14-3. Regarding claim 3, O'Connor further discloses generating an architecture resource file that includes an identification of the hardware components (identification number, column 3, lines 14-16) and base architecture of the computer system (generate a hardware list from the customer order, column 4, lines 45-48, will include the base architecture of the computer system).

14-4. Regarding claim 4, Hirosawa et al. disclose displaying instructions identifying incompatible hardware components (error warning, Hirosawa et al., column 10, lines 13-16).

14-5. Regarding claim 5, O'Connor further discloses receiving a customer order and generating a list of hardware components from the customer order (customer order, column 4, lines 40-45).

14-6. Regarding claim 6, O'Connor further discloses assigning an identification number to the computer system (identification number, column 3, lines 14-16).

14-7. Regarding claim 7, Hirosawa et al. disclose evaluating the compatibility of the selected hardware component with respect to other hardware components in the set of hardware components (inspection, Hirosawa et al., column 8, lines 53-55).

14-8. Regarding claim 8, Hirosawa et al. disclose evaluating the compatibility of the selected hardware component with respect to the base architecture of the computer system (inspection takes the space for opening and closing the door into consideration, Hirosawa et al., column 8, lines 56-61).

14-9. Regarding claim 9, O'Connor discloses receiving a custom order (column 2, line 41). The order-entry computer system is used to generate an architecture file (hardware list, column 4, lines 46-50) from the customer order, the architecture file identifying the hardware components of the computer system. However, O'Connor discloses expressly neither the details of selecting hardware installation locations nor the details of displaying message of compatibility. O'Connor does suggest that hardware assembly begins with step 216 in which the order of component assembly is planned (column 5, lines 1-5).

Hirosawa et al. disclose planning the order of component assembly in detail. Specifically, Hirosawa et al. disclose a method for identifying the installation location of a set of hardware components to be installed in a computer system, comprising the steps of:

selecting a first installation location for a first hardware component from the set of hardware components, wherein the first installation location is substantially within the housing of the computer system (desired position, Hirosawa et al., column 8, lines 41-51);

verifying the compatibility of the first hardware component (inspection, Hirosawa et al., column 8, lines 52-61);

repeating the steps of selecting an installation location and verifying the compatibility of the first hardware component until a compatible installation location is found (interactive process, Hirosawa et al., column 4, lines 43-49);

performing the steps of selecting an installation location, verifying compatibility, and, if necessary, repeating the steps of selecting an installation location and verifying compatibility steps for each hardware component in the set of hardware components (processing flow, Hirosawa et al., FIG. 6, steps 41f-41m);

displaying an incompatibility message if a hardware component is determined to be incompatible (display error, Hirosawa et al., FIG. 6, step 41h); and

displaying a compatibility message if each hardware component in the set of hardware components is determined to be compatible (any message in steps 41n-41q is a compatibility message, FIG. 6, step 41n-41q).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of O'Connor to incorporate the teachings of Hirosawa et al. to obtain the invention as specified in claim 9 because Hirosawa et al. disclose in detail planning the order of component assembly as suggested by O'Connor.

14-10. Regarding claim 10, O'Connor further discloses that the set of hardware components includes custom hardware components selected for installation by the customer of the computer system (customer order, column 4, lines 40-45).

14-11. Regarding claim 11, Hirosawa et al. disclose that the compatibility message includes a graphical representation of the installation locations of the computers system and the hardware components to be installed therein (display unit 20a, Hirosawa et al., FIG. 5).

14-12. Regarding claim 12, Hirosawa et al. disclose the compatibility message includes a set of written instructions for installing the set of hardware components (command GEN-TBL, Hirosawa et al., column 13 line 36 through column 14, line 19, and FIG. 14).

14-13. Regarding claim 13, Hirosawa et al. disclose evaluating the compatibility of the hardware component with respect to other hardware components in the set of hardware components (inspection, Hirosawa et al., column 8, lines 53-55).

14-14. Regarding claim 14, Hirosawa et al. disclose evaluating the compatibility of the hardware component with respect to the base architecture of the computer system (inspection takes the space for opening and closing the door into consideration, Hirosawa et al., column 8, lines 56-61).

14-15. Regarding claim 15, Hirosawa et al. disclose that the architecture file includes an identification of a reference code (identification number, column 3, lines 14-16).

14-16. Regarding claim 17, O'Connor discloses that the hardware components comprise a set of hardware components that were selected for installation by the customer (column 2, lines 41-46). However, O'Connor does not disclose expressly the manufacturing process of the manufactured

computer system. Nevertheless, O'Connor does suggest that hardware assembly begins with step 216 in which the order of component assembly is planned (column 5, lines 1-5).

Hirosawa et al. disclose planning the order of component assembly in detail. Specifically, Hirosawa et al. disclose a computer system, comprising:

a processor (CPU in display unit 20a, Hirosawa et al., FIG. 5);

a memory (one of the block in display unit 20a other than CPU, DISC1 or DISC2, Hirosawa et al., FIG. 5, one skilled in the art will include memory in the base architecture even if the customer has not specified the memory in the customer order);

a storage device (DISC1 in display unit 20a, Hirosawa et al., FIG. 5); the computer system having been manufactured in accordance with a manufacturing process in which the installation location of hardware components in the computer system were assigned as part of a verification step during the manufacturing process (desired position, Hirosawa et al., column 8, lines 41-48); the verification step including the evaluation of each hardware component of the computer system versus every other hardware component of the computer system and versus the base architecture of the computer system (inspection, Hirosawa et al., column 8, lines 53-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of O'Connor to incorporate the teachings of Hirosawa et al. to obtain the invention as specified in claim 17 because Hirosawa et al. disclose in detail planning the order of component assembly as suggested by O'Connor.

14-17. Regarding claim 18, O'Connor discloses receiving a custom order including a list of hardware configuration components (column 2, lines 41-46). The order-entry computer system is used to generate a hardware list and the hardware list is checked to assure compatibility of the

selected hardware components (column 4, lines 46-50). However, O'Connor discloses expressly neither the details of selecting an installation location nor the details of displaying a graphical representation of the installation locations of the hardware components of the computer system. O'Connor does suggest that hardware assembly begins with step 216 in which the order of component assembly is planned (column 5, lines 1-5).

Hirosawa et al. disclose planning the order of component assembly in detail. Specifically, Hirosawa et al. disclose a method for assigning installation locations for hardware components in a computer system, comprising the steps of:

selecting an installation location for each hardware component in the computer system, wherein the installation location is substantially within the housing of the computer system (desired position, Hirosawa et al., column 8, lines 41-51); and

displaying a graphical representation of the installation locations of the hardware components of the computer system (drawing, Hirosawa et al., column 3, lines 39-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of O'Connor to incorporate the teachings of Hirosawa et al. to obtain the invention as specified in claim 18 because Hirosawa et al. disclose in detail planning the order of component assembly as suggested by O'Connor.

14-18. Regarding claim 19, O'Connor further discloses that the set of hardware components includes custom hardware components selected for installation by the customer of the computer system (customer order, column 4, lines 40-45).

14-19. Regarding claim 20, Hirosawa et al. disclose evaluating the compatibility of each component with respect to other hardware components of the computer system and the base architecture of the computer system (inspection, Hirosawa et al., column 8, lines 53-61).

14-20. Regarding claim 21, Hirosawa et al. disclose the reference code is a serial number (identification number, column 3, lines 14-16).

14-21. Regarding claim 22, Hirosawa et al. disclose the reference code identifies the assembled hardware components (identification number, column 3, lines 14-16).

Applicant's Arguments

15. Applicants argue the following:

(1) The rejection of claims 1-20 under 35 U.S.C. 112, first paragraph, should be withdrawn because the infinite loop suggested by the Examiner will not occur (paper # 6, page 6, lines 3-5).

(2) The rejection of claim 14 under 35 U.S.C. 112, second paragraph, should be withdrawn because claim 15 has been amended to delete the reference to "the serial number" (paper # 6, page 6, lines 3-4 of section B).

(3) The rejection of claim 16 under 35 U.S.C. 102(a) should be withdrawn because "claim 16 is directed to the relative compatibility of the hardware components of the computer system and the base architecture of the computer system" (paper # 6, page 7, lines 5-6) and "Hirosawa does not teach or suggest the verification step of claim 16" (paper # 6, page 7, line 7).

(4) The rejection of claims 1-8 under 35 U.S.C. 103(a) should be withdrawn because (a) "Claim 1 has been amended to clarify that the installation location of claim 1 is located

substantially within the housing of a computer system"; (b) "Hirosawa does not evaluate the compatibility"; (c) "Hirosawa does not select an installation location for each hardware component that is within a piece of equipment, or within the housing of a computer system" (paper # 6, pages 7-8, section D. 1).

(5) The rejection of claims 9-15 under 35 U.S.C. 103(a) should be withdrawn because (a) "Claim 9 has been amended to clarify that the installation location is located substantially within the housing of a computer system"; (b) "Hirosawa does not teach or suggest a step of verifying the compatibility of the installation location for any selected hardware component; (c) "Hirosawa does not select an installation location for each hardware component that is within a piece of equipment, or within the housing of a computer system"; (d) "Hirosawa does not teach or suggest a step of displaying a compatibility message if each hardware component in the set of hardware components is determined to be compatible" (paper # 6, pages 8-10, section D. 2).

(6) "claim 17 which depends on an allowable claim is, itself, an allowable claim" (paper # 6, page 10, section D. 3).

(7) The rejection of claims 18-20 under 35 U.S.C. 103(a) should be withdrawn because "Claim 18 has been amended to clarify that the installation location is located substantially within the housing of a computer system" (paper # 6, pages 10-11, section D. 4).

Response to Arguments

16. Applicants' arguments have been fully considered. They are not persuasive.

16-1. Response to Applicants' argument (1). In view of Applicants' unpersuasive argument, claims 1-22 are rejected under 35 U.S.C. 112, first paragraph, as detailed in section **5** above.

16-2. Response to Applicants' argument (2). Claim 14 has never been rejected under 35 U.S.C. 112, second paragraph. Nevertheless, the original claim rejections of claim 15 under 35 U.S.C. 112, second paragraph, for insufficient antecedent basis have been withdrawn after the Applicants amended the claim.

16-3. Response to Applicants' argument (3). Applicants' argument is unpersuasive because claim 16 does not refer to any limitation "relative compatibility", which is argued by Applicants. For the purpose of claim examination with the broadest reasonable interpretation, the inspection described in Hirosawa does meet the limitations of claim 16, as detailed in section **12-1** above.

16-4. Response to Applicants' argument (4). Applicants' argument is unpersuasive because the Applicants' amendment of claim 1 is vague and indefinite, as detailed in section **8-1** above, and does not appear to be supported in the original specification, as detailed in section **6** above. For the purpose of claim examination with the broadest reasonable interpretation, the inspection described in Hirosawa does meet the limitation "evaluating the compatibility of the installation location" of claim 1, as detailed in section **14-1** above.

16-5. Response to Applicants' argument (5). Applicants' argument is unpersuasive because the Applicants' amendment of claim 9 is vague and indefinite, as detailed in section **8-1** above, and does not appear to be supported in the original specification, as detailed in section **6** above. For the purpose of claim examination with the broadest reasonable interpretation, first, the inspection described in Hirosawa does meet the limitation of claim 9 for identifying the installation location, as detailed in section **14-9** above; and second, any message in steps 41n-41q, as shown in FIG. 6 of Hirosawa meet the limitation of "compatibility message", as detailed in sections **10** and **14-9** above.

16-6. Response to Applicants' argument (6). Applicants' argument is unpersuasive because the independent claim 16 is not allowable, as detailed in section **16-3** above, and claim 17 has been rejected under 35 U.S.C. 103(a), as detailed in section **14-16** above.

16-7. Response to Applicants' argument (7). Applicants' argument is unpersuasive because the Applicants' amendment of claim 18 is vague and indefinite, as detailed in section **8-1** above, and does not appear to be supported in the original specification, as detailed in section **6** above.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Herng-der Day whose telephone number is (703) 305-5269. The examiner can normally be reached on 9:00 - 17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin J Teska can be reached on (703) 305-9704. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Herng-der Day
May 18, 2003

HUGH JONES Ph.D.
PRIMARY PATENT EXAMINER
TECHNOLOGY CENTER 2100